



# Board of Adjustment Case Report

City of Raleigh  
Department of City Planning  
One Exchange Plaza  
Raleigh, NC 27601  
(919) 996-2626  
www.raleighnc.gov

**Case File:** A-114-15 through A-159-15

**Property Addresses:** 912, 916, 920, 924, 928, 932, 944, 948, 952, 956, 960, 964, 957, 953, 949, 945, 941, 937, 933, 929, 925, and 921 Mere Oak Drive;

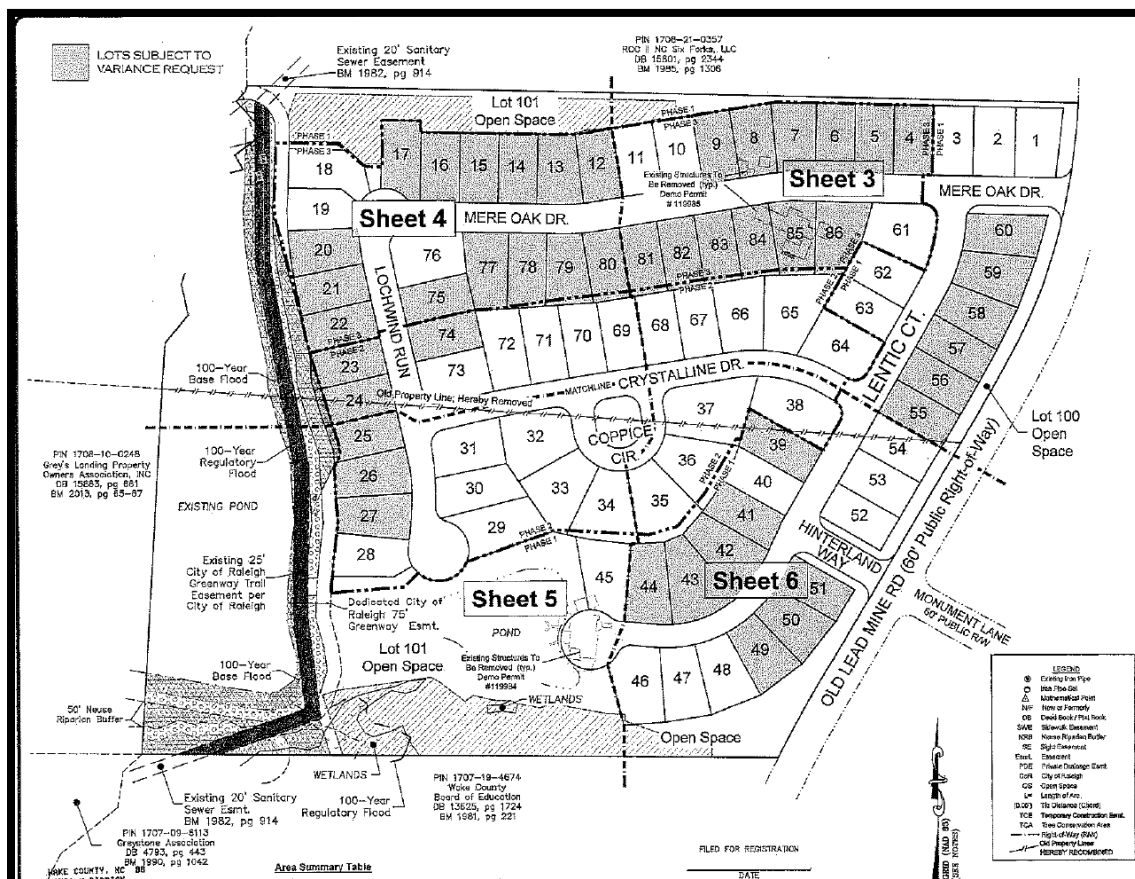
8445, 8441, 8437, 8433, 8429, 8425, 8421, 8417, 8432 and 8436 Lochwind Run;

8445, 8437, 8433, 8421, 8413, 8424, 8428, 8432, 8452, 8456, 8460, 8464, 8468, and 8472 Lentic Court

**Property Owner:** Pulte Home Corporation

**Project Contact:** Michael Birch

**Nature of Case:** A request for a 5' aggregate side yard setback variance pursuant to section 2.2.1. of the Part 10A Unified Development Ordinance to construct 46 detached houses that result in a 10' aggregate side yard setback on property zoned Residential-6 and located within the "Old Lead Mine" subdivision.



**Old Lead Mine Subdivision Map – Location Map (shaded area = subject properties)**

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**To BOA:** 12-14-15

**Staff Coordinator:** Eric S. Hodge, AICP

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**ZONING  
DISTRICTS:** Residential-6

**VARIANCE STANDARDS:** In accordance with UDO [§10.2.10 Variance](#), before a variance request is granted, the Board of Adjustment shall show all of the following:

1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

**Setback Standards:** The subject property is zoned Residential-10

<b>Yard Type</b>	<b>Minimum Setback</b>
Front Yard	10'
Side Street	10'
Side	5'
Sum of Side Setbacks	15'
Rear	20'



# Planning & Development

Development Services  
Customer Service Center  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
Fax 919-516-2685

A-114-15  
thru  
A-159-15

## Variance Application

OFFICE USE ONLY	
Nature of variance request (Submit addendum on separate sheet, if more space is needed.) See attached Exhibit A.	Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

GENERAL INFORMATION		
Property Address See attached Exhibit B.	Date November 11, 2015	
Property PIN See attached Exhibit B.	Current Zoning Residential-6	
Nearest Intersection Hinterland Way and Old Lead Mine Road	Property size (in acres) See attached Exhibit B.	
Property Owner Pulte Home Corporation 1225 Crescent Green, Suite 110 Cary, NC 27518	Phone	Fax
	Email	
Project Contact Person Michael Birch, Morningstar Law Group 630 Davis Drive, Suite 200 Morrisville, NC 27560	Phone 919.590.0388	Fax
	Email mbirch@morningstarlawgroup.com	
Property Owner Signature <i>Chris Raughley</i>	Email <i>Chris.Raughley@pulte.com</i>	
Notary Sworn and subscribed before me this <u>11</u> day of <u>Nov</u> , 20 <u>15</u>	Notary Signature and Seal <i>Catherine E. Walden</i> my commission expires <u>10.20.20</u>	

It is improper to contact any member of the Board of Adjustment prior to the disposition of a case to discuss the request. A variance application will not be considered complete until all required submittal components listed on the Variance Checklist have been received and approved.

**Lots Subject to Variance**

Subdivision: **Old Lead Mine Road**  
 Location: Raleigh, NC  
 Date: 11/13/2015



Lot #	Lot Address	PIN Number
4	912 Mere Oak Drive	1708214063
5	916 Mere Oak Drive	1708213094
6	920 Mere Oak Drive	1708213024
7	924 Mere Oak Drive	1708212064
8	928 Mere Oak Drive	1708211093
9	932 Mere Oak Drive	1708211022
12	944 Mere Oak Drive	1708109929
13	948 Mere Oak Drive	1708108958
14	952 Mere Oak Drive	1708107989
15	956 Mere Oak Drive	1708107919
16	960 Mere Oak Drive	1708106949
17	964 Mere Oak Drive	1708115081
20	8445 Lochwind Run	1708104845
21	8441 Lochwind Run	1708104768
22	8437 Lochwind Run	1708104772
23	8433 Lochwind Run	1708104685
24	8429 Lochwind Run	1708105509
25	8425 Lochwind Run	1708105513
26	8421 Lochwind Run	1708105436
27	8417 Lochwind Run	1708105339
39	8445 Lentic Court	1708202521
41	8437 Lentic Court	1708201368
42	8433 Lentic Court	1708201332
43	8421 Lentic Court	1708200276
44	8413 Lentic Court	1708200206
49	8424 Lentic Court	1708201195
50	8428 Lentic Court	1708202250
51	8432 Lentic Court	1708202296
55	8452 Lentic Court	1708204576
56	8456 Lentic Court	1708205602
57	8460 Lentic Court	1708205638
58	8464 Lentic Court	1708205773
59	8468 Lentic Court	1708206800
60	8472 Lentic Court	1708206817
74	8432 Lochwind Run	1708106750
75	8436 Lochwind Run	1708106746
77	957 Mere Oak Drive	1708107821
78	953 Mere Oak Drive	1708107891
79	949 Mere Oak Drive	1708108861
80	945 Mere Oak Drive	1708109832
81	941 Mere Oak Drive	1708109893
82	937 Mere Oak Drive	1708200864
83	933 Mere Oak Drive	1708201825
84	929 Mere Oak Drive	1708201896
85	925 Mere Oak Drive	1708202857
86	921 Mere Oak Drive	1708203837

**46 LOTS**

### **Exhibit A**

**Nature of the Variance:** The property owner is requesting a five (5) feet variance to the aggregate side yard setback for a detached house on each property subject to this variance. Unified Development Ordinance section 2.2.1.B4 states that the aggregate side yard setback is fifteen (15) feet. If the variance is granted, an aggregate side yard setback of ten (10) feet would be permitted on each property subject to this variance.

